

MICHAEL N. FEDER
Nevada Bar No. 7332
DICKINSON WRIGHT PLLC
8363 West Sunset Road, Suite 200
Las Vegas, NV 89113
Telephone: 702-550-4440
Facsimile: 844-670-6009
Email: mfeder@dickinson-wright.com

MARTIN D. HOLMES (*Pro Hac Vice admitted*)
Tennessee Bar No. 012122
PETER F. KLETT (*Pro Hac Vice admitted*)
Tennessee Bar No. 012688
DICKINSON WRIGHT PLLC
Fifth Third Center, Suite 800
424 Church Street
Nashville, TN 37219
Telephone: 615-244-6538
Facsimile: 844-670-6009
Email: mdholmes@dickinsonwright.com
pklett@dickinsonwright.com

*Attorneys for Plaintiffs, Putative Collective Class Members
and Putative Hawaii Class Members*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DANIEL GONZALEZ and JEFFREY HUGHES,
on behalf of themselves and others similarly
situated,

Plaintiffs,

v.

DIAMOND RESORTS INTERNATIONAL
MARKETING, INC., DIAMOND RESORTS
INTERNATIONAL, INC., DIAMOND
RESORTS CORPORATION, and WEST MAUI
RESORTS PARTNERS, L.P.,

Defendants.

Case No. 2:18-cv-00979-APG-CWH

STIPULATION AND ORDER
EXTENDING DEADLINES FOR
PLAINTIFFS TO FILE MOTION
FOR CLASS CERTIFICATION AND
EXPERT DISCLOSURE
DEADLINES

Plaintiffs and Defendants HEREBY STIPULATE AND AGREE, by and through their respective counsel, as to the following:

1. Per the Discovery Plan and Scheduling Order, Plaintiffs' Motion for Class Certification is currently due for filing on or before July 29, 2019. *See Doc. 38, Discovery Plan and Scheduling Order, p. 5, Para. 2.b.9.*

2. Plaintiffs' counsel have advised Defendants' counsel that they have scheduling conflicts, including the fact that lead counsel for Plaintiff will be out of state related to another federal action on July 28 and 29, 2019, which will create difficulty with the completion and filing of Plaintiffs' Motion for Class Certification and related filings in support of Plaintiffs' Motion.

3. In addition, the Court has recently entered an Stipulated Protective Order governing the exchange and use of confidential documents (*see Doc. 48*), and Plaintiffs have indicated that they anticipate that some documents produced by Defendants following entry of the Stipulated Agreed Protective Order may be used in conjunction with Plaintiffs' Motion for Class Certification.

4. A brief, one-week extension will not affect the ultimate disposition of this case or the remaining deadlines contained in the Discovery Plan and Scheduling Order.

5. Defendants do not oppose Plaintiffs' request for a brief one-week extension.

6. Per the Discovery Plan and Scheduling Order, the parties are required to exchange expert disclosures by July 29, 2019 and rebuttal expert disclosures by August 28, 2019. Given the current status of the case, including Plaintiffs' pending Motion for Conditional Certification related to the FLSA claims of Plaintiffs and putative collective class members, the parties are unable to complete expert disclosures at this time. The parties request that the Court extend the expert disclosure deadline to August 27, 2019, and the rebuttal expert disclosure deadline to September 27, 2019.

7. Based on the foregoing, Defendants stipulate to the brief one-week extension from July 29, 2019 to August 5, 2019 for Plaintiffs' request for an order extending the deadline for

1 Plaintiffs to file their Motion for Class Certification from July 29, 2019 to August 5, 2019, and the
2 parties stipulate and request that the Court extend the expert disclosure deadline from July 29,
3 2019, to August 27, 2019, and the rebuttal expert disclosure deadline from August 28, 2019, to
4 September 27, 2019.

5
6 IT IS SO STIPULATED this 25th day of July 2019.

7
8 DICKINSON WRIGHT PLLC

LEWIS ROCA ROTHGERBER CHRISTIE LLP

9
10 /s/ Martin D. Holmes

/s/ Alison M. Hamer

11 MICHAEL N. FEDER

HOWARD E. COLE

12 Nevada Bar No. 7332

Nevada Bar No. 4950

8363 West Sunset Road, Suite 200

JENNIFER K. HOSTETLER

Las Vegas, NV 89113

Nevada Bar No. 11994

3993 Howard Hughes Pkwy, Suite 600

Las Vegas, NV 89169-5996

13 MARTIN D. HOLMES

14 *(Admitted Pro Hac Vice)*

Tennessee Bar No. 012122

KIRSTIN E. MULLER

15 *(Admitted Pro Hac Vice)*

California Bar No. 186373

16 PETER F. KLETT

(Admitted Pro Hac Vice)

Tennessee Bar No. 012688

ALISON M. HAMER

17 *(Admitted Pro Hac Vice)*

California Bar No. 258281

18 Fifth Third Center, Suite 800

BENJAMIN J. TREGER

(Admitted Pro Hac Vice)

424 Church Street

California Bar No. 285283

19 Nashville, TN 37219

Hirschfeld Kramer LLP

20 233 Wilshire Boulevard, Suite 600

Santa Monica, California 90401

21 *Attorneys for Plaintiffs,*

Putative Collective Class Members

and Putative Hawaii Class Members

22 *Attorneys for Defendants*
23
24
25
26
27
28

IT IS SO ORDERED:



CARL W. HOFFMAN
United States Magistrate Judge

DATED: July 29, 2019

CERTIFICATE OF SERVICE

I hereby certify that on July 25, 2019, I caused a true and accurate copy of the foregoing
STIPULATION AND ORDER EXTENDING DEADLINES FOR PLAINTIFFS TO FILE
MOTION FOR CLASS CERTIFICATION AND EXPERT DISCLOSURE DEADLINES to be
filed with the Clerk of the Court via the Court's CM/ECF system, which sent an electronic copy
of same to the following counsel of record:

HOWARD E. COLE
JENNIFER K. HOSTETLER
LEWIS ROCA ROTHGERBER CHRISTIE LLP
3993 Howard Hughes Pkwy, Suite 600
Las Vegas, NV 89169-5996

ALISON MEGAN HAMER (*Admitted Pro Hac Vice*)
BENJAMIN JOSEPH TREGER (*Admitted Pro Hac Vice*)
KIRSTIN ELISABETH MULLER (*Admitted Pro Hac Vice*)
HIRSCHFELD KRAMER LLP
233 Wilshire Boulevard, Suite 600
Santa Monica, California 90401

Attorneys for Defendants

/s/ Martin D. Holmes
Martin D. Holmes

NASHVILLE 77850-1 698405v1